

The Environmental Notice

A SEMI-MONTHLY BULLETIN (UNDER SECTION 343-3, HRS) OF THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL

MAY 23, 2005

Kaka'ako Makai Area Plan Revised

The Hawai'i Community Development Authority (HCDA) has submitted an environmental assessment for revisions to its Makai Area Plan as previously described in its 1983, 1985, 1990, 1994 and 1998, environmental impact statements (EISs). The current proposal calls for residential use in the area, which was formerly prohibited. A total of 1,100 units are planned. A zone change to Mixed Use

Zoning (MUZ) will allow for residential, commercial and public uses. The area under consideration is 62 out of the area's 221 acres. The residences will be allowed in the waterfront zone, with a height limit increase from 45 to 65 feet. Kaka'ako Makai is bounded by Ala Moana Boulevard, Fort Armstrong, the Pacific Ocean and Ala Moana Park. See page 5 for more information.

Lahaina Artificial Reef for Submarine Tours

The Department of Land and Natural Resources (DLNR) is currently reviewing a final environmental impact statement for an applicant proposal for an artificial reef off Puamana Beach Park in Lahaina to



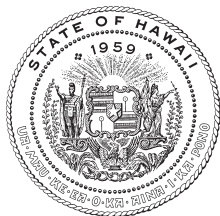
accommodate submarine tours. DLNR is expected to make a determination on the acceptability of the final environmental impact statement within the next month. See page 12 for more details.

Tesoro to Add Seven New Fuel Storage Tanks on Sand Island Access Road

Tesoro is seeking approval of a special management area (SMA) use permit to expand the existing fuel storage terminal at 2 Sand Island Access Road, Honolulu, O'ahu. The current facility, originally constructed in 1974, consists of two 60-foot high above-ground storage tanks (13,000-barrel and a 21,000-barrel capacity), a maintenance building, a 10,000 gallon above-ground and 10,000 gallon underground water storage tanks, and several small portable tanks.

The proposed expansion project would consist of seven (7) new above ground storage tanks ranging in capacity from 21,000 to 50,000 barrels. These circular tanks would be 56-feet high and vary in diameter from 50 to 80 feet. A replacement truck fuel loading rack, vapor combustion unit and a 3,000 square foot 2-story office building is also proposed. Tesoro also would make entrance driveway and spill containment berm modifications.

The 4-acre site is located on the makai side of Sand Island Access Road located just before the Sand Island Bascule Bridge. See page 4.



LINDA LINGLE

GOVERNOR

OFFICE OF
ENVIRONMENTAL QUALITY CONTROL (OEQC),
DEPARTMENT OF HEALTH
GENEVIEVE SALMONSON
DIRECTOR, OEQC

*The Environmental Notice -
review the environmental impacts of
projects proposed in Hawai'i!*

Other Resources available . . .

- *June 2004 Guidebook for Hawai'i's Environmental Process (now, Online!)*
- *Environmental Assessments in Adobe Acrobat PDF Format (1990-2003) and Study Resource Library*
- *Environmental Council Annual Reports (now, Online!)*
- *"How to Plant a Native Hawaiian Garden" (now online!)*

OEQC

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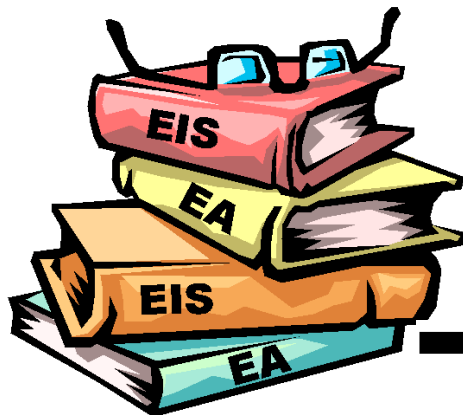
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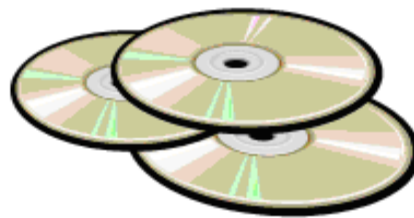
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We provide access to our activities without regard to race, color, national origin (including language), age, sex, religion, or disability. Write or call OEQC or our departmental Affirmative Action Officer at Box 3378, Honolulu, HI 96801-3378 or at (808) 586-4616 (voice/tty) within 180 days of a problem. OEQC intends to make the information in this bulletin accessible to everyone. Individuals that require this material in a different format (such as large type or braille), should contact our office for assistance.

Definitions

Your guide to the Environmental Review Process

Draft Environmental Assessment

A project or action that may affect the environment cannot be implemented until an Environmental Assessment (EA) is prepared in accordance with Chapter 343, Hawai'i Revised Statutes (HRS). If the lead State or county agency (the *proposing agency* for agency actions, or the *approving agency* for applicant actions) anticipates that the project will have no significant environmental impact, then affected agencies, individuals, and organizations must be consulted and a Draft EA (DEA) is written and public notice is published in this periodic bulletin (see, section 343-3, HRS) known as the *Environmental Notice*. The public has 30 days to comment on the Draft EA from the date of the first notice.

Final Environmental Assessment and Finding of No Significant Impact

After the lead agency reviews the public comments, if it determines that the project will have no significant effect on the environment, then it will prepare a Final EA (FEA) and issue a Finding of No Significant Impact (FONSI) formerly called a *Negative Declaration*. The Final EA must respond to all public comments. An Environmental Impact Statement will not be required and the project may now be implemented. The public has 30 days from the first notice of a FONSI in this periodic bulletin to ask a court to require the preparation of an EIS.

Final Environmental Assessment and Environmental Impact Statement Preparation Notice

When a lead agency decides that a project may have a significant environmental impact, an Environmental Impact Statement (EIS) must be prepared prior to implementing the project. Like the DEA (see *above*), affected agencies, individuals and organizations must be consulted prior to preparation of the final EA (FEA) and issuance of a determination called an EIS preparation notice (EISPEN). (The EA is called *final*, to distinguish it from the draft, *above*). After the FEA is written by the lead agency, and notice of the FEA and EISPEN is published in this periodic bulletin, any agency, group, or individual has 30 days from the first publication of the EISPEN to request to become a consulted party and to make written comments regarding the environmental effects of the proposed action. The public (including an applicant) has 60 days from the first notice of an EISPEN in this periodic bulletin to ask a court to not require the preparation of an EIS.

Draft Environmental Impact Statement

After receiving the comments on the FEA and EISPEN (see *above*), the lead agency or private applicant must prepare a Draft Environ-

mental Impact Statement (DEIS) prior to project implementation. This document must completely disclose the likely impacts of a project. Direct, indirect and cumulative impacts must be discussed along with measures proposed to mitigate them. The public has 45 days from the first publication date in this periodic bulletin to comment on a DEIS. The DEIS must respond to comments received during the FEA-EISPEN comment period in a *point-by-point* manner.

Final Environmental Impact Statement

After considering all public comments filed during the DEIS stage, the agency or applicant must prepare a Final EIS (FEIS). The FEIS must respond in a *point-by-point* manner to all comments from the draft stage. Requisite deeper analyses must be included in the FEIS. For applicant projects, the approving agency is authorized to accept the FEIS. For agency project the Governor or the county mayor is the accepting authority. Only after the EIS is accepted may the project be implemented.

Acceptability

If the FEIS is accepted, the law requires that notice of this be published in this periodic bulletin. The public has 60 days from the date of first notice of acceptance to ask a court to vacate the acceptance of an EIS. In the case of applicant actions, the law requires that an approving agency must make a determination on acceptance within thirty-days of receipt of the FEIS or the FEIS is deemed accepted. Also, for applicant actions, the law provides for an administrative appeal of a non-acceptance to the Environmental Council.

National Environmental Policy Act

The National Environmental Policy Act (NEPA) requires federal projects to prepare an EA or EIS. It many ways it is similar to Hawai'i's law. Some projects require both a state (or county) and federal EIS and the public comment procedure should be coordinated. Although not required by law, the OEQC publishes NEPA notices in this periodic bulletin to help keep the public informed of important federal actions.

Special Management Area

The Special Management Area (SMA) is along the coastlines of all our islands and development in this area is generally regulated by Chapter 205A, HRS and county ordinance. A special subset of the SMA that is regulated by Chapter 343, HRS is the Shoreline Setback Area. Most development in this area requires a Special Management Permit (SMP). This periodic bulletin posts notice of these SMP applications to encourage public input.

Shoreline Certifications

State law requires that Hawai'i shorelines be surveyed and certified when necessary to clearly establish the shoreline setback (an area contained between the certified shoreline and a prescribe distance inland (usually 40 feet) from the certified shoreline). The public may participate in the process to help assure accurate regulatory boundaries. Private land owners often petition to have their shoreline certified by the State surveyor prior to construction. This periodic bulletin publishes notice from the Department of Land and Natural Resources of both shoreline certification applicants and of final certifications or rejections.

Environmental Council

The Environmental Council is a fifteen-member citizen board appointed by the Governor to advise the State on environmental concerns. The council makes the rules that govern the Environmental Impact Statement process. The agendas of their regular meetings are published on the Internet at <http://www.ehawaii.gov/calendar> and the public is invited to attend.

Exemption Lists

Government agencies must keep a list describing the minor activities they regularly perform that are declared exempt from the environmental review process. These lists are reviewed and approved by the Environmental Council. This periodic bulletin will publish an agency's draft exemption list for public comment prior to Council decision making, as well as notice of the Council's decision on the list.

Conservation District

Any use of land in the State Conservation District requires a Conservation District Use Application (CDUA). These applications are reviewed and approved by the Board of Land and Natural Resources (BLNR). Members of the public may intervene in the permit process. Notice of these permit applications is published in this periodic bulletin.

Endangered Species

This periodic bulletin is required by Section 343-3(c), HRS, to publish notice of public comment periods or public hearings for habitat conservation plans (HCP), safe harbor agreements (SHA), or incidental take licenses (ITL) under the federal Endangered Species Act, as well as availability for public inspection of a proposed HCP or SHA, or a proposed ITL (as a part of an HCP or SHA).

O'ahu Notices

MAY 23, 2005

Tesoro Hawai'i Sand Island Fuel Terminal Expansion (HRS 343 DEA)

District: Honolulu
TMK: 1-2-25:19 & 26
Applicant: Tesoro Hawai'i Corporation
2 Sand Island Access Rd., Honolulu, HI 96819
Contact: Chester Koga (842-1133)

Approving Agency: Dept. of Planning & Permitting
650 S King St., 7th Flr., Honolulu, HI 96813
Contact: Steve Tagawa (523-4817)

Consultant: R. M. Towill Corporation
420 Waiakamilo Rd., Honolulu, HI 96817-4941
Contact: Chester Koga (842-1133)

Public Comment
Deadline: June 22, 2005
Status: Draft environmental assessment (DEA) notice pending 30-day public comment. Address comments to the applicant with copies to the approving agency, consultant and OEQC.

Permits Required: SMA Use Permit, Building, Grading Permits, NPDES

The applicant seeks approval of a special management area (SMA) use permit to expand the existing fuel storage terminal at 2 Sand Island Access Road, Honolulu, O'ahu. The current facility, originally constructed in 1974, consists of two 60-foot high above-ground storage tanks (13,000-barrel and a 21,000-barrel capacity), a maintenance building, a 10,000 gallon above-ground and 10,000 gallon underground water storage tanks, and several small portable tanks.

The proposed expansion project would consist of seven (7) new above ground storage tanks ranging in capacity from 21,000 to 50,000 barrels. These circular tanks would be 56-feet high and vary in diameter from 50 to 80 feet. A replacement truck fuel loading rack, vapor combustion unit and a 3,000 square foot 2-story office building is also proposed. The applicant also would make entrance driveway and spill containment berm modifications.

The existing terminal facility is the distribution point for jet fuel, gasoline and diesel products that are pumped through pipelines from applicant's refinery in Kalaeloa. The 4-acre site is located on the makai side of Sand Island Access Road, adjacent to the Honolulu Fueling Facilities Corporation (HFFC) storage facility and located just before the Sand Island Bascule Bridge. The Ke'ehi Small Boat Harbor is located just west of the site.

The entire site is located within the Special Management Area and expansion project will require that a SMA Use Permit is first obtained, pursuant to Chapter 25, Revised Ordinances of Honolulu (ROH). Grading, building and NPDES permits will also be required.



MAY 23, 2005

Kaka'ako Community Development Makai Area Plan (HRS 343 DEA)

District: Honolulu
TMK: 2-1-15, 2-1-58, 2-1-59, 2-1-60 (all parcels)
Proposing Agency: Hawai'i Community Development Authority
677 Ala Moana Blvd., Ste. 1001, Honolulu, HI 96813
Contact: Susan Tamura (587-2870)

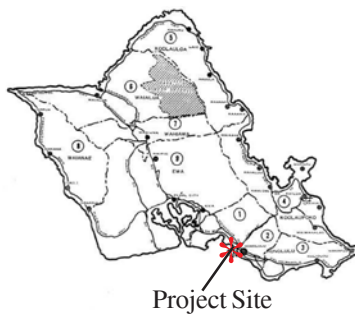
Determination Agency: Same as above.
Consultant: Wilson Okamoto Corporation
1907 S Beretania St., Ste. 400, Honolulu, HI 96813
Contact: Rodney Funakoshi (946-2277)

Public Comment Deadline: June 22, 2005
Status: Draft environmental assessment (DEA) notice pending 30-day public comment. Address comments to the proposing agency with copies to the consultant and OEQC.

Permits Required:

Dept. of the Army, NPDES, Section 401
WQC, SMA, Shoreline Setback Variance,
Building, Grading

In furthering the goal of creating a vibrant, mixed-use community, the Hawai'i Community Development Authority proposes to amend the Makai Area Plan and Rules to allow residential use in the Kaka'ako Makai Area. A Mixed-Use zone ("MUZ") designation will be established where residential, commercial and public uses will be allowed. Approximately 62.15 acres presently designated as commercial use will be redesignated as MUZ. The Makai Area Rules will also be amended to allow residential use in the Waterfront Commercial zone and the height limit for the Waterfront Commercial zone will be increased from 45 feet to 65 feet along the 'Ewa edge of Kewalo Basin. It is envisioned that the provision of residential use will promote the development of an "urban village" in the Makai Area where residents can live, work, shop, and socialize in the same area.



O'ahu Notices

MAY 23, 2005

Mililani Wastewater Preliminary Treatment Facility Modifications (HRS 343 DEA)

District: Mililani
TMK: 9-4-05:19
Proposing Agency: Dept. of Design & Construction, C&C of Honolulu, 650 S King St., 11th Flr., Honolulu, HI 96813
Contact: Carl Arakaki (523-4671)

Determination Agency: Same as above.
Consultant: Hawai'i Pacific Engineers, Inc.
1132 Bishop St., Ste. 1003, Honolulu, HI 96813-2830
Contact: Roy Abe (522-7425)

Public Comment
Deadline: June 22, 2005
Status: Draft environmental assessment (DEA) notice pending 30-day public comment. Address comments to the proposing agency with copies to the consultant and OEQC.

Permits Required: Building, Grading, Special Use, NPDES, General Permit, Noise

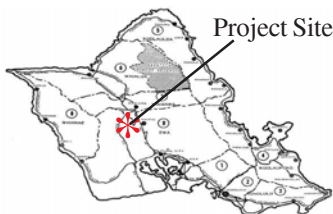
Proposed modifications to the headwork's facilities include two new grinder units, refurbishing an aerated grit removal chamber, and new grit chamber aeration blowers. In addition to increasing capacity, the headwork's upgrade will improve the performance of the headwork's to minimize maintenance requirements and potential clogging of downstream sewer lines crossing Waikele Gulch.

A new 1.7 million gallon flow equalization basin consisting of a lined earthen basin approximately 260 feet long by 160 feet wide by 12 feet deep is proposed. The flow equalization basin will be used to temporarily store and dampen high wet-weather wastewater flows caused by rainwater entering the sewer system.

The construction will be confined to the existing Mililani WWPTF site that has been previously graded and was formerly used for agriculture. There will be some short-term construction impacts such as truck traffic to and from the site, construction equipment noise, and dust. Increases in noise and odors associated with the operation of the upgraded headwork's facilities and flow equalization basin, if any, will be negligible.

The construction cost for this project is estimated to be approximately \$3.8 million. The construction work is expected to last 18 to 24 months. Construction is not expected to begin until 2006 or 2007.

The City and County of Honolulu proposes to construct modifications at its existing Mililani Wastewater Preliminary Treatment Facility (WWPTF) located on Makapipipi Street in Mililani. The modifications are required to improve the performance of the preliminary treatment facilities and provide additional flow handling capacity.



MAY 23, 2005

Kamehameha Hwy Intersection Improvements at Kuilima Drive (HRS 343 DEA)

District: Ko'olauloa
TMK: 5-7-01:31
Proposing Agency: State of Hawai'i, Dept. of Transportation, Highways Division, 601 Kamokila Blvd., Rm. 688, Kapolei, HI 96707
Contact Todd Nishioka (692-7547)

Determination Agency: Same as above.
Consultant: Lyon Associates, Inc.
841 Bishop St., Ste. 2006, Honolulu, HI 96813
Contact: Kenneth Rappolt (536-6621)

Public Comment Deadline: June 22, 2005
Status: Draft environmental assessment (DEA) notice pending 30-day public comment. Address comments to the proposing agency with copies to the consultant and OEQC.

Permits Required: SMA, NPDES, NOI

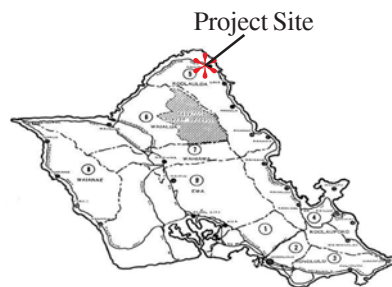
The State Department of Transportation, Highways Division (State DOT) proposes to improve the intersection of Kamehameha Highway and Kuilima Drive in Kahuku, District of Ko'olauloa, on the Island of O'ahu. The proposed project includes roadway widening for the addition of traffic channelization lanes, highway lighting, removal and replacement of the existing box culvert crossing the 'O'io Stream with a bridge. A temporary detour with a temporary stream crossing will be constructed to accommodate traffic during the construction of the replacement bridge. Additional State right of way will be acquired for this project.

Alternatives Considered:

The five alternatives investigated for the proposed project include the following:

- Prohibit left turn movements into Kuilima Drive;
- Install additional traffic warning devices;
- Construct roadway widening for traffic channelization lanes;
- Install a traffic signal system; and
- No action.

The alternative to construct roadway widening for traffic channelization lanes was selected based on the recommendations developed in a Design and Construction Project Assessment Report, March 1999, prepared by the State DOT.



Hawai'i Notices

MAY 23, 2005

Pahoa Fire Station & Police Sub-Station (HRS 343 FEA-FONSI)

District: Puna
TMK: (3) 1-5-7:17
Proposing Agency: County of Hawai'i, Mayor's Office
25 Aupuni St., Rm. 215, Hilo, HI 96720-4252
Contact: Nicolas AhYo (961-8395)

Determination Agency: Same as above.
Consultant: Brian T. Nishimura, Planning Consultant
101 Aupuni St., Ste. 217, Hilo, HI 96720
Contact: Brian Nishimura (935-7692)

Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).

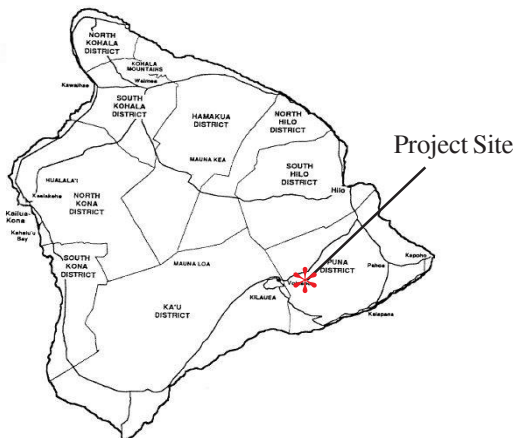
Permits Required: Underground Injection Control-Approval of Drywells, Approval of Septic System, Special Permit Application, Plan Approval, Approval of Construction Plans (Water Supply, Public Works, Planning)

The County of Hawai'i has obtained management and control of approximately 19,464 acres of land for public safety, recreation and other public purposes, through Executive Order No. 4073 signed on October 8, 2004. The County is proposing to construct a new fire station and police sub-station on the subject property. The property is located in Keonepoko-Nui and Keonepoko-Iki, Puna, island of Hawai'i and identified as Tax Map

Key: (3) 1-5-7:17. The subject property is situated on the north-east side of Kea'au-Pahoa Road (State Highway 130), approximately 700 feet northwest of the intersection of the Pahoa Bypass Road and the Pahoa Village Road. The subject property is situated within the State Land Use Agricultural District and was previously utilized as an anthurium farm and packing facility. The lease which allowed the anthurium operation extended from 1965 to 2000 and the property has remained fallow since the termination of the lease.

The proposed fire station will be situated along the north-western corner of the subject property. The facilities will include a fire station structure approximately 8,000 square feet in size, a pump house and storage shed, recreation area, parking and an emergency helipad. The fire station structure will include three bays which will have a total capacity for six vehicles (two fire apparatus per bay), accommodations for up to eight fire fighters per shift, exercise room, training room, lounge/ready room/kitchen, office space, hose maintenance room and storage.

The Police Department Sub-Station along the southwest corner of the subject property. The initial facility will be approximately 1,200 square feet in size and will include a public reception area, clerical space, office space, interview rooms, a processing room, two holding cells, a juvenile booking room and a conference room to handle a minimum of ten people. The facility will be utilized by six to seven officers per shift who are responsible for the area from Shower Drive down to Kalapana.



MAY 23, 2005

Shropshire Conservation Plan (HRS 343 FEA-FONSI)

District: South Hilo
TMK: (3) 2-7-04:25
Applicant: Steve Shropshire
P.O. Box 1146, Hilo, HI 96720
Contact: Steve Shropshire (934-9441)

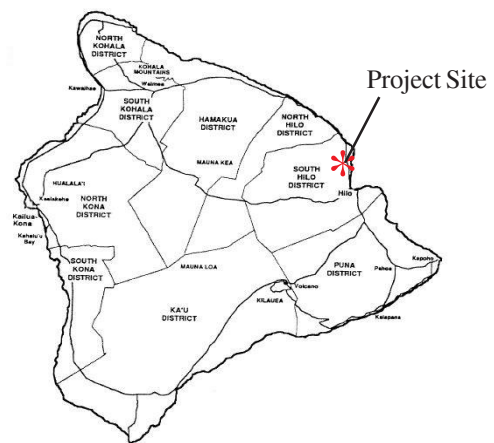
Approving Agency: Dept. of Land and Natural Resources
P.O. Box 621, Honolulu, HI 96809
Contact: Dawn Hegger/Tiger Mills (587-0380)

Consultant: Ron Terry, Ph.D.
HC 2 Box 9575, Keaau, HI 96749
Contact: Ron Terry (982-5831)

Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).

Permits Required: CDUP, Special Management Area Permit, Shoreline Setback Variance or Exemption

The proposed project would implement components of an approved soil conservation plan that has been prepared in cooperation with the U.S. Natural Resources Conservation Service (NRCS): (1) Remove noxious alien trees, especially ironwood, near the sea cliff's edge, and replant the area with natives and Polynesian-introduced species; (2) Grub noxious weeds and grasses with a tractor; (3) Install drainage ditches and grass waterways, per grading and engineering plan; (4) Plant cover crops and riparian barrier; (5) Install windbreaks; (6) Implement landscaping plan. Implementation of the elements designed to reduce sedimentation. Without implementation of the plan, it is estimated that this property would lose 16.73 tons of soil/acre/year. The soil loss tolerance for this type of land is about 5 tons per year, meaning that without remediation, the agricultural sustainability of the land is in jeopardy. With the programs proposed in the Conservation Plan – berms, riparian buffers, cover crops, etc. – the soil should be reduced to about 1.06 tons acre, a significant improvement. As the subject area (along with the Agricultural District land directly mauka) has historically been farmed in sugar cane, the farming activities are essentially a continuation of existing uses. As designed by the U.S. Natural Resources Conservation Service, they will result in better farming conditions, less soil erosion, and better drainage, and will not materially change the appearance of the area. In general, no sensitive biological, hydrological, archaeological, cultural or other important resources are present and no adverse long-term impacts are expected to result from the project. Visual impacts will be generally beneficial. In order to prevent adverse impacts, mitigation measures related to properly handling fuel and machinery and dealing with inadvertent finds of historic sites are proposed.



Maui Notices

MAY 23, 2005

Ukumehame Subdivision-Phase I & II (HRS 343 FEA-FONSI)

District: Lahaina
TMK: 4-8-02:9, 48, 52-56, 60, 61, 65, 66, 68, & 70
Applicant: Pacific Rim Land, Inc.
P.O. Box 220, Kihei, HI 96753
Contact: Donna Clayton (874-5263)

Approving Agency: Maui Planning Commission, c/o County of Maui, Dept. of Planning
250 South High St., Wailuku, HI 96793
Contact: Kivette Caigoy (270-7811)

Consultant: Chris Hart & Partners, Inc.
1955 High St., Ste. 200, Wailuku, HI 96793
Contact: Rory Frampton (242-1955)

Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).

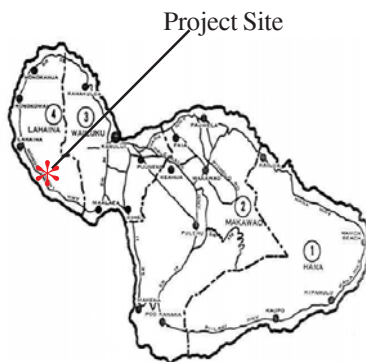
Permits Required: SMA, Subdivision & Construction Permit Approvals

The proposed action involves the use of approximately 439 acres of vacant land, including the consolidation of 12 existing lots and the re-subdivision of this land to create three large lots (Phase I Subdivision). Two of the large lots, totaling approximately 100 acres, will be transferred to the County of Maui for a future County park and a future State highway right-of-way. The remaining large lot, containing approximately 339 acres, will

be concurrently subdivided for an approximately 77-acre river corridor lot (Ukumehame Stream) and 45 agricultural lots and related improvements (Phase II Subdivision).

Since the publication of the Draft EA, minor modifications were made to the Phase II Subdivision's General Plan to revise the property lines for five lots at the east end of the subdivision, and to show the locations of several features including the two potable water wells, the alignment of a new water tank access road, and the location and buffer for Site 3184. The agricultural lots will range in size from approximately 3 to 13 acres and occupy an area of approximately 262 acres. The initiation of agricultural activities and potential construction of farm dwellings and individual wastewater systems for each lot will be the responsibility of future lot purchasers. Besides site work, the proposed action will involve the planting of street trees and the provision of infrastructure to serve the agricultural lots. Other proposed improvements include two new intersections at Honoapi'ilani Highway (including the recent elimination of right-turn/acceleration lanes at both intersections) and four new roads for subdivision access and internal circulation.

The subject property lies within the State Agricultural District and is designated for Agricultural uses by the West Maui Community Plan and Maui County zoning. The *makai* part of the property falls within the Special Management Area (SMA). As a condition of the land transfer between the landowners and the County of Maui, an Environmental Assessment (EA) and an application for a SMA Use Permit have been prepared for the proposed action



MAY 23, 2005

Ma'alaea Small Boat Harbor Improvements (HRS 343 FEA-FONSI)

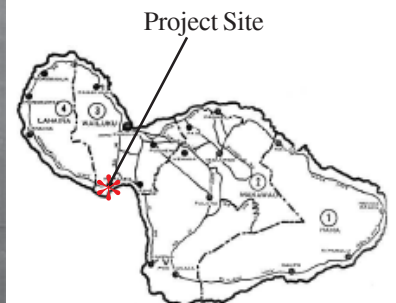
District: Wailuku
TMK: 3-6-01:02, 49, 50 (por.) and 3-8-14:27, 28, 30
Proposing Agency: Dept. of Land & Natural Resources
P.O. Box 621, Honolulu, HI 96809
Contact: Eric Hirano (587-0230)
Determination Agency: Same as above.
Consultant: Munekiyo & Hiraga, Inc.
305 High St., Ste. 104, Wailuku, HI 96793
Contact: Mich Hirano (244-2015)
Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).
Permits Required: June 22, 2005

The State of Hawai'i, Department of Land and Natural Resources (DLNR) proposes repairs and upgrades to the existing inter-island commuter ferry terminal facilities at the Ma'alaea Small Boat Harbor (MSBH), located in Ma'alaea, Maui, Hawai'i. The project area is identified by TMK Nos. (2) 3-6-01:02, 49, portion of 49 and 50, which identify the harbor itself, as well as (2) 3-8-14:27, 28, and 30 which identifies an adjacent parcel leased by the State and is presently being used for overflow parking. The harbor property covers approximately 29.51 acres and the adjacent parcel covers 1.137 acres.

The MSBH was constructed in 1952 for use by commercial vessels. The loading dock was used for inter-island ferry service in the 1980's, but is currently used only by commercial tour boat operators. DLNR proposes improving the loading dock, as well as attendant and ancillary improvements, to allow the resumption of inter-island ferry service from MSBH on the island of Maui to the island of Lana'i. These improvements can be categorized as site infrastructure improvements and building improvements, as well as accessibility improvements and barrier removal to comply with American with Disabilities Act requirements.

Site infrastructure improvements include replacing existing and adding new water and sewer lines and facilities, upgrading wastewater handling facilities by replacing existing cesspools with individual wastewater systems, upgrading the electrical system, repaving roads, and improving the existing overflow parking area. Building improvements include the demolition and replacement of the existing ferry terminal building, repairs and upgrades to the ferry loading dock, improvements to the existing comfort station, and construction of a new comfort station at the overflow parking area.

The project is anticipated to be funded, in part, by a Federal grant intended for the improvement of ferry terminal facilities, as well as State funds for harbor upgrades to infrastructure to comply with new code requirements. The project is estimated to cost approximately \$13.2 million and requires approximately 12 months for construction work.



Maui Notices

MAY 23, 2005

Atlantis Submarines Twin Peaks Artificial Reef (HRS 343 FEIS)

District: Lahaina
TMK: N/A
Applicant: Atlantis Submarines Hawai'i, LLC
658 Front St, #175, Lahaina, HI 96761
Contact: Jim Walsh (667-6604)

Accepting Authority: DLNR-Office of Conservation & Coastal Lands, Kalanimoku Bldg., 1151 Punchbowl St., Rm. 220 Honolulu, HI 96813
Contact: Sam Lemmo (587-0381)

Consultant: BEI Environmental Services
311 Pacific St., Honolulu, HI 96817
Contact: James Hayes (535-6055)

Status: Final environmental impact statement (FEIS) was filed and is being processed for a determination of acceptability by the accepting authority. The approving agency has 30-days from the date of filing with the accepting authority to accept or reject the FEIS or the FEIS is deemed accepted by Section 343-5(c), Hawaii Revised Statutes. The FEIS is also available at the Office of Environmental Quality Control. There is no public comment period.

Permits Required: CDUA, WQC, CZM Fed Consistency & Cert. Form USACE, 10/404 DA Permit

Atlantis Submarines Hawai'i, LLC, (Atlantis Submarines) proposes to have an area designated as an artificial reef site where an artificial patch reef and associated mooring buoys would be developed. Upon approval, Atlantis Submarines plans to first sink a cleaned vessel at one of three proposed drop zones within the project site. As funds become available, Atlantis Submarines plans to develop the other artificial reef installation areas through the use of engineered artificial reef structures and/or other cleaned vessels. The purpose of the proposed project is three fold; 1) alleviate pressure on the natural reef system from overuse, 2) enhance the existing habitat by promoting reef and fish growth for commercial and recreational users, and 3) provide an educational opportunity to study the biomass increase over time.

The project site is an area known as Twin Peaks and is located on public conservation district land (ceded lands). Twin Peaks is located on the southern coast of Maui, approximately 0.5 miles southwest of Puamana Beach Park, south of Lahaina (Figure 1). The Twin Peaks area boundaries are latitudes 20°50'30" south and longitudes 156°40'50" west of are approximately 337 (14,684,375 square feet). Depths range from 72 to 168 feet (12 to 28 fathoms). Each of three drop zone locations would utilize approximately 5,000 square feet of sea floor for artificial reef installation.



MAY 23, 2005

Shoreline Certifications and Rejections

Pursuant to §§13-222-26, HAR the following shorelines have been proposed for certification or rejection by the DLNR. Any person or agency wishing to appeal a proposed shoreline certification or rejection shall file a notice of appeal in writing with the department no later than 20 calendar days from the date of the public notice of the proposed shoreline certification or rejection. The Notice of appeal shall be sent to the Board of Land and Natural Resources, 1151 Punchbowl Street, Room 220, Honolulu, Hawai'i 96813.

File No.	Status	Location	Applicant/Owner	TMK
OA-1027	Proposed Shoreline Certification	Lot 4-F-5-A of Land Court Application 242 (Map 56), land situated at Pu'uloa, 'Ewa, Island of O'ahu, Hawai'i Address: 91-503 Hapalua Street Purpose: Determine Setback	Jamie F. Alimboyoguen/ Shawn Reis	9-1-07:50
OA-1028	Proposed Shoreline Certification	Lot 8 of the Pupukea-Paumalu Beach Lots, land situated at Halei'wa, Ko'olaupia, Island of O'ahu, Hawai'i Address: 59-601 Ke Iki Road Purpose: Determine Setback	Jaime F. Alimboyoguen/ Paul Dold	5-9-03:24
HA-298	Proposed Shoreline Certification	Lot 6, 49 Black Sand Beach (F.P. 2246), land situated at 'Anaeho'omalu, South Kohala, Island of Hawai'i, Hawai'i Address: 68-1088 Honoka'ope Place Purpose: Building Permit	R.M. Towill Corporation/Morris Revocable Trust	6-8-33:06

Shoreline Certification Applications

Pursuant to § 13-222-12, HAR the following shoreline certification applications are available for inspection at the DLNR District Land Offices on Kaua'i, Hawai'i and Maui and at Room 220, 1151 Punchbowl St., Honolulu, O'ahu (Tel: 587-0414). All comments shall be submitted in writing to the State Land Surveyor, 1151 Punchbowl Street, Room 210, Honolulu, Hawai'i 96813 and postmarked no later than fifteen (15) calendar days from the date of the public notice of the application. If there are any questions, please call Nick Vaccaro at (808) 587-0384.

File No.	Date	Location	Applicant/Owner	TMK
KA-190	5/13/05	Lot A-2-C-2 of Land Court Application 1076 (Map 25), land situated at Kikiaola, Waimea, Island of Kaua'i, Hawai'i Address: None Assigned (Vacant) Purpose: Building Permit	Towill, Shigeoka & Associates, Inc./KVH Partners	1-2-13: 01
HA-075-3	5/13/05	Portion of Grant 3019 to Ka'aipulu (W) and portion of R. P. 3814, Land Commission Award 9235-B, Apana 2 to Haki, portion of Kailua-Keauhou Beach Road, land situated at Kapala'ala'ea 2 nd , North Kona, Island of Hawai'i, Hawai'i Address: None assigned (Vacant) Purpose: Building Permit	Wes Thomas Associates/J. Alison Wright and Dana Montgomery /Wright Montgomery Family Trust	7-7-10: 05
HA-066-2A	5/13/05	Portion of RP 4475, Land Commission Award 7713, Apana 43 to V. Kamamalu, land situated at Holualoa 1 st and 2 nd , North Kona, Island and County of Hawai'i Address: 76-6274 Ali'i Drive Purpose: Building Permit	Wes Thomas Associates/ Diptera, LLC	7-6-14: 13
OA-953-2	5/13/05	Lot 4 (Map 1) of Land Court Consolidation 211 Lot 184-B (Map 23) Land Court Application 1095, land situated at Kaunala, Ko'olaupia, Island of O'ahu, Hawai'i Address: 58-121 Napo'onala Place Purpose: New Residence	Controlpoint Surveying, Inc./Joseph Mark Ellison	5-8-6: 29 and 34
OA-1031	5/13/05	Lot 881 (Map 212) of Land Court Application 578, land situated at Kuli'ou'ou 1 st , Honolulu, Island of O'ahu, Hawai'i Address: 230 Paiko Drive Purpose: Determine Setback	Jamie F. Alimboyoguen/Thomas Coulson	3-8-01: 05
OA-1032	5/13/05	Lot 2-B (Map 4), Land Court Application 1005, land situated at Kaluahole, Waikiki, Island of O'ahu, Hawai'i Address: 3241 Diamond Head Road Purpose: Building Permit	Controlpoint Surveying, Inc./Jay and Walette Shidler	3-1-37: 11
OA-1033	5/13/05	Portion of Lot B, File Plan 279 and Former Kalaniana'ole Highway, land situated at Nui, Honolulu, Island of O'ahu, Hawai'i Address: 5647 Kalaniana'ole Highway Purpose: Consolidation & Resubdivision	Walter P. Thompson Surveying and Mapping/David Fisher	3-7-01: 20

Coastal Zone News

MAY 23, 2005

Federal Consistency Reviews

The Hawai'i Coastal Zone Management (CZM) Program has received the following federal actions to review for consistency with the CZM objectives and policies in Chapter 205A, Hawai'i Revised Statutes. This public notice is being provided in accordance with section 306(d) (14) of the National Coastal Zone Management Act of 1972, as amended. For general information about CZM federal consistency please call John Nakagawa with the Hawai'i CZM Program at 587-2878. For neighboring islands use the following toll free numbers: Lana'i & Moloka'i: 468-4644 x72878, Kaua'i: 274-3141 x72878, Maui: 984-2400 x72878 or Hawai'i: 974-4000 x72878. For specific information or questions about an action listed below please contact the CZM staff person identified for each action. Federally mandated deadlines require that comments be received by the date specified for each CZM consistency review and can be mailed to: Office of Planning, Department of Business, Economic Development and Tourism, P.O. Box 2359, Honolulu, Hawai'i 96804 or, fax comments to the Hawai'i CZM Program at 587-2899.

(1) Regulations Implementing the Third Extension of the South Pacific Tuna Treaty

Applicant: National Marine Fisheries Service (NMFS), Pacific Island Region
Contact: Tom Graham, 973-2937
Federal Action: Federal Agency Activity
Location: South Pacific Ocean
CZM Contact: John Nakagawa, 587-2878
Proposed Action:

NMFS proposes to revise regulations implementing the South Pacific Tuna Act of 1988, as amended, to reflect changes in the 2002 Third Extension of the South Pacific Tuna Treaty. The treaty and its implementing regulations govern the conduct of U.S. fishing vessels in the exclusive economic zones of the 16 Pacific Island countries that are party to the treaty. The proposed regulatory action is needed to bring the U.S. into compliance with its obligations under the treaty. The proposed revisions would: (1) modify vessel reporting requirements for purse seine vessels, (2) modify closed and limited areas for Papua New Guinea and the Solomon Islands, (3) require vessel monitoring systems for U.S. purse seine vessels licensed under the treaty, and (4) allow high seas access to U.S. long line vessels. The environmental assessment is available at www.nepapir.com. This CZM federal consistency review is limited to the regulations affecting Hawai'i-based vessels.

Comments Due: June 6, 2005

(2) Additional Seabird Interaction Avoidance Methods under the Fishery Management Plan for the Pelagic Fisheries of the Western Pacific Region

Applicant: National Marine Fisheries Service (NMFS), Pacific Island Region
Contact: Alvin Ketekaru, 973-2937

Federal Action: Federal Agency Activity
CZM Contact: John Nakagawa, 587-2878
Proposed Action:

NMFS is proposing a regulatory amendment, authorized under the Fishery Management Plan for Pelagic Fisheries of the Western Pacific Region that would establish additional measures to reduce interactions with seabirds in the Hawai'i-based long line fishery. The final environmental impact statement for the proposed regulatory amendment is available at <http://swr.nmfs.noaa.gov/pir/>.

Comments Due: June 6, 2005

(3) Aviator Recovery, Ko'olau Mountains, Halawa Valley, O'ahu

Applicant: Joint Prisoner of War / Missing in Action Accounting Command
Agent: Commander Navy Region Hawai'i
Contact: Anne Hong, 472-1388
Federal Action: Federal Agency Activity
Location: Ko'olau Mountains, Halawa Valley, O'ahu
TMK: (1) 9-9-11: 2, 4
CZM Contact: John Nakagawa, 587-2878
Proposed Action:

The Joint Prisoner of War / Missing in Action Accounting Command proposes to recover the remains and personal effects of a naval aviator who crashed into the Ko'olau Mountains while on a training flight in June 1944. The action requires removal of vegetation and excavation and screening of soil from an area of up to 478 square yards. Ancillary support areas would require clearing vegetation from an additional 1,698 square yards for a buffer area around an existing helicopter landing zone, an alternative landing zone, and two paths between the landing zones and recovery area. Re-vegetation and erosion control would be implemented concurrently or immediately following the recovery. Recovery activities are proposed to occur from August through September 2005, and post-recovery restoration activities are proposed to occur from September to December 2005.

Comments Due: June 6, 2005

(4) Kamehameha Highway Rehabilitation from Waihau St to H-2 Interchange

Applicant: State of Hawai'i, Department of Transportation
Contact: Li Nah Okita, (808) 692-7581
Federal Action: Federal Assistance
Federal Agency: Federal Highways Administration
Location: Kamehameha Highway (Route 99) between mileposts 9.85 and 11.91, 'Ewa District, island of O'ahu
CZM Contact: Debra Tom, 587-2840
Proposed Action:

Rehabilitation of Kamehameha highway to include excavation, cold planing, resurfacing, reconstructing weakened pavement areas, restoring curb height to 6", providing bike lanes, upgrading guardrails, end post connections, and reconstructing existing sidewalk, drainage improvements, removing and installing signs and loop detectors, installing pavement markings and striping and upgrading Waikakalaua Bridge railings. The project area is within the state right-of-way, with the exception of approximately 300 feet of drainage ditch work near the intersection of Lehua Road.

Comments Due: June 6, 2005

(5) Testing of Expeditionary Fighting Vehicle at Marine Corps Base Hawai'i, Kane'ohe Bay, Hawai'i

Applicant: US Marine Corps Base Hawai'i
Contact: Ron Yamada, LE, 257-6920x229
Federal Action: Federal Agency Activity
CZM Contact: Debra Tom, 587-2840
Proposed Action:

Perform in-water developmental testing of the Expeditionary Fighting Vehicle (EFV) prototypes in waters off Pyramid Rock Beach and Ft. Hase Beach, at Marine Corps Base Hawai'i, Kane'ohe Bay (MCBH-KB), O'ahu. The in-water tests would assess the durability and reliability of EFV systems at repetitive high sea states in multiple modes of operation. The tests would be conducted at sea in the surf zone and Open Ocean in areas currently used by the Amphibious Assault Vehicle (AAV). Testing would be conducted from July through October 2005. A maximum of two (2) EFVs would be transported from Camp Pendleton in California for the proposed testing and transported back to Camp Pendleton after testing is complete.

Comments Due: June 6, 2005

(6) Restoration of Impacted Wetland along Hanalei River, Kaua'i

Applicant: Edi Ben-Dor, Trustee
Agent: AECOS Inc.
Contact: Eric B. Guinther, 808-234-7770
Federal Action: Department of the Army Permit
Federal Agency: U.S. Army Corps of Engineers (POH-2005-286)
Location: Approximately 700 meters upstream from the mouth of the Hanalei River
TMK: 5-4-4:54
CZM Contact: Debra Tom, 587-2840
Proposed Action:

Wetlands removal/restoration plan in conformance with U.S. Environmental Protection Agency (EPA) enforcement actions as stated in Docket No. CWA 404-09(a)-04-002 (EPA, 2004a) for alleged dredging and dredged material side-casting in a wetland located on the subject property.

Refilling the connection dug between the drainage ditch system and the pond. Restore the pond to wetland habitat by filling or grading the margins of the pond to the extent required such that a gentle slope in towards the pond center is created.

Comments Due: June 6, 2005

(7) Install Traffic Signals at the Intersection of Lono Avenue and Papa Avenue, Kahului, Maui

Applicant: County of Maui Department of Public Works and Environmental Management, Engineering Division
Contact: Ty Takeno, (808) 270-5540
Federal Action: Federal Assistance
Federal Agency: Federal Highways Administration
Location: Intersection of Lono Avenue and Papa Avenue, Kahului, Maui
TMK: (2)3-8-7
CZM Contact: John Nakagawa, 587-2878
Proposed Action:

The applicant proposes to receive and use federal funds from the Federal Highways Administration to install traffic signals at the intersection of Lono Avenue and Papa Avenue in Kahului. Other improvements related to the traffic signal installation include road widening, curb and curb ramp adjustments, and relocation of drainage catch basins.

Comments Due: June 6, 2005

Coastal Zone News

MAY 23, 2005

Special Management Area (SMA) Minor Permits

Pursuant to Hawai'i Revised Statute (HRS) 205A-30, the following is a list of SMA Minor permits that have been approved or are pending by the respective county/state agency. For more information about any of the listed permits, please contact the appropriate county/state Planning Department. City & County of Honolulu (523-4131); Hawai'i County (961-8288); Kaua'i County (241-6677); Maui County (270-7735); Kaka'ako Special Design District (587-2878).

Location (TMK)	Description (File No.)	Applicant/Agent
O'ahu: 'Ewa (9-1-26-49)	Install office trailer & accessories (2005/SMA-29)	Michael H. Tanaka
O'ahu: Kaka'ako (2-1-58-95)	Construct wooden ticket booth 10'x8'x12' & adjoining wooden deck (SMA/05-2)	Greg Longnecker, Kai Holo, Inc
O'ahu: Kane'ohe (4-4-13-24, 25 and 26)	Four new CRM walls (2005/SMA-34)	Phillip & Patricia Kirley/ Alden Badenhopp
O'ahu: Hale'iwa (6-6-2-1)	Vehicle barriers & curb ramps for ADA compliance at Ali'i Beach Park (2005/SMA-33)	C&C of Honolulu DDC/ Kwock Associates, Inc.
Hawai'i: Kea'au (1-5-59-40)	Home occupation – gun repair shop (SMM 181)	William T. Turner
Maui: Kihei (3-9-3-5)	Dwelling (SM2 20050062)	Castleton, Dale
Maui: Kihei (3-9-1-12)	Temp classrooms & water lateral (SM2 20050063)	Montessori Hale O Keiki
Maui: (3-9-32-65)	Small cottage (SM2 20050064)	Kamaka, Josephy & Donna
Maui: Wailea (2-1-8-130)	Grading & grubbing (SM2 20050065)	A&B Wailea LLC
Maui: Kihei (3-9-9-21)	Enclose lanai (SM2 20050066)	Albritton, Deborah
Maui: Wailea (2-1-8-130)	Temp construction staging area (SM2 20050067)	Kai Malu Wailea, LLC
Maui: Kihei (3-9-27-18)	Addition (SM2 20050068)	Deompoc, Priscila

Special Management Area Documents (Chapter 25, Revised Ordinances of Honolulu)

Since SMA-only (Chapter 25, ROH) documents do not trigger the EIS law as articulated in Chapter 343, Hawaii Revised Statutes, effective September 1, 2001 OEQC will no longer review these documents for completeness or adequacy. However, OEQC will continue to provide notice of these projects as a public service. Questions regarding the adequacy, completeness and availability of these documents should be addressed directly to the county contact listed below.

Ohana Pili Kai

Applicant: Dennis A. Almendares (637-3522)
Agent: May Hung (623-5336)
Location: 68-180 Au St., Wai'alua, O'ahu
Tax Map Key: 6-8-11:34
Proposal:

applicant has received building permit approvals to construct two single-family dwellings on the property. The applicant now proposes to construct two additional, 3-story, single-family dwellings for a total of four dwellings. A wastewater treatment system consisting of an aerobic treatment plant and two soil absorption beds will be installed on-site to serve the four dwellings.

The proposed action involves the construction of single-family dwellings on an 11,693-square foot property zoned A-1 Low Density Apartment District. The property is located at 68-180 Au Street (Tax Map Key 6-8-11:34) in Wai'alua, O'ahu. The

Feathered Friends

How many of these birds have you seen and if you did do you know their names? Take a look at our beautiful feathered friends and see how many you can name correctly without cheating to look at the answers



Row 1

- ___ 'Aiapola'au
- ___ Akohekohe
- ___ Alala
- ___ Amakihi
- ___ Apapane
- ___ Black-Crowned Night-Heron (Adult)
- ___ Hawaii Elipao
- ___ Hawaiian Creeper

Row 2

- ___ Iiwi
- ___ Maui Parrotbill
- ___ Nene
- ___ Omao
- ___ Pacific Golden Plover
- ___ Palila
- ___ Pueo
- ___ Red-Crested Cardinal

Answers: Row 1 A, B, K, C, D, I, J, E, Row 2 G, N, M, L, H, P, O, F

Federal Notices

MAY 23, 2005

Fishery Meetings

The Western Pacific Fishery Management Council will hold its 127th meeting and Advisory Panel meetings to consider and take actions on fishery management issues in the Western Pacific Region starting on May 30, 2005, through June 2, 2005, at the Ala Moana Hotel, 410 Atkinson Drive, Honolulu. For specific times, and the agenda, contact Ms. Kitty M. Simonds, Executive Director at (808)522-8220 (see, 70 F.R. 25018, May 12, 2005).

Volcanic Emissions and Human Health

The Centers for Disease Control and Prevention (CDC) announces the intent to fund fiscal year (FY) 2005 funds for a grant program to provide funds to the Department of Health for an assessment of the health effects experienced by Hawai'i residents that may be associated with potentially toxic volcanic emissions from an active volcano. An application may only be submitted by the Department of Health as it is the most appropriate organization to conduct the work under this grant for the following reasons: (1) Congressional language states that the problem of asthma in Hawai'i remains a serious health threat and challenge, especially among the medically underserved. In particular, the problem of volcanic emissions in Hawai'i contributes to this and other respiratory problems. Congress has provided CDC with funds to address this problem. (2) Hawai'i has the statutory responsibility for protecting and enhancing the public health of its citizens. This includes assessing the impact of volcanic emissions on the health of Hawai'i residents. The Department of Health has access to state collected data, which will be essential components of the project. Approximately \$75,000 is available in FY 2005 to fund this award. It is expected that the award will begin on or before August 31, 2005, and will be made for a 12-month budget period within a project period of up to one year. Funding estimates may change. For general comments or questions about this announcement, contact Mildred Williams-Johnson, Ph.D., Scientific Program Administrator, CDC, National Center for Environmental Health, 1600 Clifton Road, NE., Mail Stop E17, Atlanta, GA 30333. Telephone: 404-498-0639. Electronic mail: MWilliams-Johnson@cdc.gov (see, 70 F.R. 24801, May 11, 2005).



Comments Sought on Candidate Species for Endangered or Threatened Status

In a Candidate Notice of Review (CNOR), the U.S. Fish and Wildlife Service (FWS), presented an updated list of plant and animal species native to the United States that FWS regards as candidates or that FWS has proposed for addition to the Lists of Endangered and Threatened Wildlife and Plants under the Endangered Species Act of 1973. Identification of candidate species can assist environmental planning efforts by providing advance notice of potential listings, allowing resource managers to alleviate threats and thereby possibly remove the need to list species as endangered or threatened. Even if FWS subsequently lists a candidate species, the early notice provided here could result in more options for species management and recovery by prompting candidate conservation measures to alleviate threats to the species. The CNOR summarizes the status and threats that FWS has evaluated in order to determine that species qualify as candidates and to assign a listing priority number to each species. Additional material that we relied on is available in the Species Assessment and Listing Priority Assignment Forms (species assessment forms, previously called candidate forms) for each candidate species. FWS is requesting additional status information that may be available for the 286 candidate species. FWS will consider this information in preparing listing documents and future revisions to the notice of review, as it will help us in monitoring changes in the status of candidate species and in management for conserving them. It also requests information on additional species that we should include as candidates as it prepares future updates of this list. The CNOR document also includes FWS's findings on resubmitted petitions and describes its progress in revising the Lists of Endangered and Threatened Wildlife and Plants during the period May 5, 2004, through May 2, 2005. Some of the species included are: spotless crane (*Porzana tabuensis*) from American Samoa; friendly ground-dove (*Gallicolumba stairi stairi*), indigenous to the Pacific and Southeast Asia; Kaua'i creeper (*Oreomystis bairdi*); Many-colored fruit-dove (*Ptilinopus perousii perousii*), American Samoa; Newcomb's tree snail (*Newcombia cumingi*), Maui; anchialine pool shrimp (*Vetericaris chaceorum*), Hawaii; Kookoolau vari-ous species - *Bidens amplexans*, O'ahu; *Bidens campylothea* ssp. *Pentamera*, Maui; *Bidens micrantha* ssp. *ctenophylla*; *Calamagrostis expansa* (no common name), Maui and Hawai'i bogs; *Calamagrostis hillebrandii*, Maui and Hawai'i bogs; *Chamaesyce eleanoriae* ('Akoko), Kaua'i; *Christella boydiae* (no common name), O'ahu, Maui and Hawai'i streambanks. FWS will accept comments on the Candidate Notice of Review at any time. For more information, contact Chris Nolin, Chief, Division of Conservation and Classification at (703) 358-2171 (see, 70 F.R. 24869, May 11, 2005).

Pollution Control Permit Applications

MAY 23, 2005

Summary of Inspection and Enforcement Actions

The Table shows a tally of the inspections and responses conducted by the DOH pollution control program personnel during the period from January through March 2005. Inspections and enforcement actions are listed by program area. For more information, please contact the Environmental Planning Office at 586-4337.

	Inspections & Responses Jan-Mar 05	Warning Notices ¹ Jan-Mar 05	Formal Enforcement Cases ² Jan-Mar 05	Penalties Issued Jan-Mar 05	Formal Cases Pending Total to Date	Formal Cases Concluded Jan-Mar 05	Supplemental Environmental Projects (S.E.P.) in Progress
Clean Air Branch							
Fugitive Dust	77	1	0	--	0	0	0
Non-covered Sources	38	15	2	\$6,500	1	0	0
Covered Sources	18	15	1	\$13,600	10	1	1
Agricultural Burning	60	0	0	--	1	1	0
Open Burning	16	0	0	--	0	0	0
Others	34	1	0	--	0	0	0
Solid & Hazardous Waste Branch							
Underground Storage Tanks	167	3	0	\$34,300	3	0	0
Hazardous Waste	84	7	0	\$0	6	2	0
Solid Waste	147	21	1	\$85,750	8	0	3
Clean Water Branch							
Permitted Discharges (NPDES)	20	8	0	\$0	4	0	2
Non-permitted Discharges	71	13	0	\$0	4	0	2
Water Quality Certifications	10	0	0	\$0	0	0	0
Wastewater Branch							
Wastewater Treatment Plants	12	0	0	\$0	4	0	1
Individual Wastewater Systems	159	18	0	\$0	10	1	0
Animal Waste	7	0	0	\$0	0	0	0
Other	16	1	0	\$0	0	0	0
Safe Drinking Water Branch							
Public Water Systems	38	6	0	\$0	1	0	0
Wells-Underground Injection Control	250	7	0	\$0	0	0	0
Hazard Evaluation & Emergency Response							
Oil Spills	1	1	0	\$0	0	0	0
Hazardous Waste Releases	2	1	0	\$0	0	0	0
TOTAL	1227	118	4	\$140,150	52	5	9

¹ Informal letters warning a person or entity that they are violating environmental laws normally requiring corrective action by a specified deadline. Informal actions generally cover less serious issues such as small infractions by individuals, or violations of permit technicalities which do not directly impact environmental quality.

² Formal enforcement cases generally cover any serious violation and repeat or continued violations of permits or law. Warning letters, if not adequately respond to, can lead to formal actions. Specifically, formal cases are administrative enforcement proceedings that typically include a formal notice of violation and an order. Orders often require corrective actions, reports, and payment of penalty. This section also included field citations.

Department of Health Permits

The following three pages contain a list of some pollution control permits currently before the State Department of Health. For more information about any of the listed permits, please contact the appropriate branch or office of the Environmental Management Division at 919 Ala Moana Boulevard, Honolulu. Abbreviations are as follows: **CAB** - Clean Air Branch; **CD** - comments due; **CSP** - Covered Source Permit; **CWB** - Clean Water Branch; **I** - issued; **SHWB** - Solid and Hazardous Waste Branch; **SDWB** - Safe Drinking Water Branch; **N** - none; **NPDES** - National Pollutant Discharge Elimination System under the Federal Clean Water Act; **R** - received; **T** - temporary; **UIC** - Underground Injection Control; **NA** - not applicable.

Clean Air Branch

Permit Type	Applicant & Permit Number	Project Location	Pertinent Date	Proposed Use
CAB, 586-4200, TSCP	Hawaiian Dredging Construction Co., CSP 0467-01-CT (Renewal)	Various Temporary Sites, State of Hawai'i Current Location: 733 Kanoelehua Avenue, Hilo, Hawai'i	Issued: 5/6/05	1500 TPH Portable Stone Quarrying and Processing Plant with 810 hp Diesel Engine Generator
CAB, 586-4200, NSP	Kaua'i Petroleum Co., Ltd. NSP 0370-01-N (Renewal/Modification)	3185 Wa'apa Road, Lihue, Kaua'i	Issued: 5/11/05	Petroleum Bulk Loading Terminal
CAB, 586-4200, CSP	Hakuyosha Hawai'i, Inc. CSP 0564-01-C	730 Sheridan Street, Honolulu, O'ahu	Comments Due: 6/13/05	Two (2) 50-pound Petroleum Solvent Recovery Dryers
CWB, 586-4309 NPDES	MLR Golf Partners, LLC S000049	Maulani Lani—Site "N", 1001 Kamokila Blvd, Kapolei, O'ahu	Issued: 5/4/05	Storm water runoff